

REMARKS

In view of the comments which follow, and pursuant to 37 C.F.R. § 1.111, reconsideration of the Official Action of October 4, 2004 is respectfully requested by Applicant.

Summary

Claims 1 – 10 and 35 are pending. Claims 11 – 34 stand withdrawn. Claims 36 – 41 stand cancelled.

Claim Rejections under 35 U.S.C. § 102

The Examiner has rejected Claims 1 – 3 under 35 U.S.C. § 102 (b) as being anticipated by Polash (WO 99/18518). Applicant respectfully traverses these rejections.

Claim 1 is directed to a method for online purchasing of electronic information. This online purchasing method includes selecting electronic information, paying for the electronic information, directly receiving the electronic information by a user printing device, and printing the electronic information on a medium.

Applicant submits that Polash is silent about the electronic information being directly received by a user printing device, and about printing the electronic information on a medium. In this regard, the Examiner has asserted that the computer terminal 14 of Polash corresponds to the user's printing device including a medium on which the songs can be downloaded that is printed. However, one of ordinary skill in the art would recognize that the act of downloading the electronic information to a computer terminal is distinguishable from the act of directly providing the electronic information to a printing device, and from the act of printing the electronic information on a medium. Thus, Claim 1 is allowable. Dependent Claims 2 and 3 are allowable for the same reasons.

Claim Rejections under 35 U.S.C. § 103

The Examiner has rejected Claims 4 – 10 under 35 U.S.C. 103(a), as being unpatentable over Polash and further in view of Salisbury et al. (U.S. Patent 6,041,703). Applicant respectfully traverses this 103(a) rejection.

In this rejection, the Examiner has combined Polash's patent, which relates to an Internet based musical indexing system for radio, with Salisbury's patent, which relates to a compact disc printing method. The Examiner stated that although Polash teaches a method for online purchasing of electronic information as analyzed for Claims 1 – 3, Polash does not disclose the limitations of Claims 4 – 10, which are suggested by Salisbury.

As discussed above, Polash does not teach or suggest the distinguishable features of Claim 1. Salisbury is also silent about the electronic information being directly received by a user printing device. Thus, a combination of the Polash and Salisbury references also fails to teach or disclose that the electronic information is directly received by a user printing device. Therefore, dependent Claims 4 – 10 are patentable over Polash in view of Salisbury.

The Examiner has next rejected Claim 35 under 35 U.S.C. 103(a), as being unpatentable over Polash and further in view of Salisbury et al. (U.S. Patent 6,041,703). Applicant respectfully traverses this 103(a) rejection.

In regard to Claim 35, all of the limitations are covered in Claims 1 – 10. Thus, based on the prior discussions of Claims 1 - 10, the Polash and Salisbury references may not be combined to render Claim 35 unpatentable.

As such, Applicant respectfully requests that the rejections of Claims 1- 10, and 35 under 35 U.S.C. § 103(a) be withdrawn.

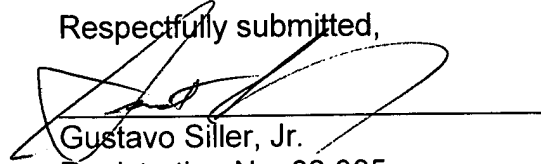
Conclusion

Therefore, in view of the above amendment and remarks, Applicant respectfully submits that this application is in condition for allowance and such action is earnestly requested. Applicant believes a one month extension is due, and a corresponding check is enclosed. If, there are additional fees due, Applicant requests that this paper constitutes any necessary petition and authorizes the Commissioner to charge any underpayment, or credit any overpayment, to Deposit Account No. 23-1925.

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If for any reason, however, the Examiner feels that a telephone interview would be helpful in resolving any remaining issues the Examiner is respectfully requested to contact Applicant's undersigned attorney.

Respectfully submitted,



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